

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:17-cv-00461-FDW-DSC

INEZ ANNETTE ALBRIGHT,

Plaintiff,

vs.

CHARLOTTE-MECKLENBURG BOARD
OF EDUCATION, ERIC WARD,
CHAUNEL JOHNSON, AND AVERY
MITCHELL

Defendants.

ORDER

THIS MATTER is before the Court on Defendants' Motion to Dismiss Plaintiff's Amended Complaint for Failure to State a Claim (Doc. No. 10) and Request for Preliminary Hearing on the Motion (Doc. No. 11). After Defendants' filed the Motion, Plaintiff filed a Second Amended Complaint (Doc. No. 14) after obtaining leave of the Court (Doc. No. 13). It is well-settled that a timely-filed amended pleading supersedes the original pleading, and motions directed at superseded pleadings may be denied as moot. Young v. City of Mount Ranier, 238 F.3d 567, 573 (4th Cir. 2001). Therefore, the Court DENIES Defendants' Motion to Dismiss Plaintiff's Amended Complaint for Failure to State a Claim (Doc. No. 10) and the Request for Preliminary Hearing (Doc. No. 11) as moot. This ruling is without prejudice to Defendants' ability to reassert any relevant arguments in response to Plaintiff's second amended complaint.

IT IS SO ORDERED.

Signed: October 19, 2017



Frank D. Whitney
Chief United States District Judge

